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Justice Department 'violates own rules'

WASHINGTON (AP) — The Justice Department violates its own rules and fails to give the public effective guidance in using two laws designed to make government files available to citizens, an internal department study has concluded.

Noting that the department has government-wide leadership responsibility for compliance with the Freedom of Information Act and the Privacy Act, the study by the evaluation staff of the Justice Management Division says, "the department's internal activities should be a model for other executive agencies."

Instead, the study found the department has inadequate reading rooms for the public to see and copy released documents, widely varied policies for charging fees for producing documents, and provides ineffective guidance for the public in how to use the two laws.

No central files are kept on how the department responded to requests, and various units kept their own files anywhere from three years to forever, sometimes leaving department lawyers with no record with which to defend against civil suits and making it difficult to tell citizens the status of their requests, the study found.

The evaluators found that the department often doesn't comply with its own regulations, which the study says are outdated in any case. It attributes the problems "more to the lack of formally established administrative procedures" than to a lack of resources.

Three separate offices now handle various coordination aspects of the work generated by 65,000 annual requests for files. The study found that reorganizations designed to improve implementation of the act "have instead caused internal confusion by failing to clearly delineate organizational responsibilities."

Two of the officials involved, William Snider, administrative counsel, and Quinlan Shea, head of the Office of Privacy and Information Appeals, said in interviews that many of the problems already were under study before the

report was finished in October.

For instance, they said updated regulations and a standard manual for department employees are almost ready to be issued. They both questioned whether some problems cited were large enough to merit the expense of some suggested remedies.

The study found that some offices required to have reading rooms don't have them and some which aren't supposed to have them, do. Files forwarded to the main Justice reading room "are not filed but placed in piles on top of the filing cabinet."

The main reading room is used almost daily to conduct civil service tests and occasionally for interviews about civil rights complaints.

The study recommended consolidating the reading rooms in one well-staffed location, and Snider and Shea said discussions already were underway about doing that.

The Privacy Act allows citizens to obtain copies of government files about them. The Freedom of Information Act allows anyone to obtain government documents that aren't specifically exempted, such as criminal investigative and intelligence files.

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